

111TH CONGRESS  
2D SESSION

# S. 3359

To amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 13, 2010

Mr. THUNE (for himself, Mr. TESTER, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans’ Disability  
3 Compensation Automatic COLA Act”.

4 **SEC. 2. AUTOMATIC ANNUAL INCREASE IN RATES OF DIS-**  
5 **ABILITY COMPENSATION AND DEPENDENCY**  
6 **AND INDEMNITY COMPENSATION.**

7 (a) INDEXING TO SOCIAL SECURITY INCREASES.—  
8 Section 5312 of title 38, United States Code, is amended  
9 by adding at the end the following new subsection:

10 “(d)(1) Whenever there is an increase in benefit  
11 amounts payable under title II of the Social Security Act  
12 (42 U.S.C. 401 et seq.) as a result of a determination  
13 made under section 215(i) of such Act (42 U.S.C. 415(i)),  
14 the Secretary shall, effective on the date of such increase  
15 in benefit amounts, increase the dollar amounts in effect  
16 for the payment of disability compensation and depend-  
17 ency and indemnity compensation by the Secretary, as  
18 specified in paragraph (2), as such amounts were in effect  
19 immediately before the date of such increase in benefit  
20 amounts payable under title II of the Social Security Act,  
21 by the same percentage as the percentage by which such  
22 benefit amounts are increased.

23 “(2) The dollar amounts to be increased pursuant to  
24 paragraph (1) are the following:

25 “(A) COMPENSATION.—Each of the dollar  
26 amounts in effect under section 1114 of this title.

1           “(B) ADDITIONAL COMPENSATION FOR DE-  
2           PENDENTS.—Each of the dollar amounts in effect  
3           under section 1115(1) of this title.

4           “(C) CLOTHING ALLOWANCE.—The dollar  
5           amount in effect under section 1162 of this title.

6           “(D) NEW DIC RATES.—Each of the dollar  
7           amounts in effect under paragraphs (1) and (2) of  
8           section 1311(a) of this title.

9           “(E) OLD DIC RATES.—Each of the dollar  
10          amounts in effect under section 1311(a)(3) of this  
11          title.

12          “(F) ADDITIONAL DIC FOR SURVIVING SPOUSES  
13          WITH MINOR CHILDREN.—The dollar amount in ef-  
14          fect under section 1311(b) of this title.

15          “(G) ADDITIONAL DIC FOR DISABILITY.—Each  
16          of the dollar amounts in effect under sections  
17          1311(c) and 1311(d) of this title.

18          “(H) DIC FOR DEPENDENT CHILDREN.—Each  
19          of the dollar amounts in effect under sections  
20          1313(a) and 1314 of this title.

21          “(3) Whenever there is an increase under paragraph  
22          (1) in amounts in effect for the payment of disability com-  
23          pensation and dependency and indemnity compensation,  
24          the Secretary shall publish such amounts, as increased  
25          pursuant to such paragraph, in the Federal Register at

1 the same time as the material required by section  
2 215(i)(2)(D) of the Social Security Act (42 U.S.C.  
3 415(i)(2)(D)) is published by reason of a determination  
4 under section 215(i) of such Act (42 U.S.C. 415(i)).”.

5 (b) EFFECTIVE DATE.—Subsection (d) of section  
6 5312 of title 38, United States Code, as added by sub-  
7 section (a) of this section, shall take effect on the first  
8 day of the first calendar year that begins after the date  
9 of the enactment of this Act.

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